

General Information Letter: Composite returns may not be filed on behalf of multiple trusts.

December 3, 1999

Dear:

This is in response to your letter dated September 29, 1999 in which you request a Private Letter Ruling. Department of Revenue ("Department") regulations require that the Department issue only two types of letter rulings, Private Letter Rulings ("PLRs") and General Information Letters ("GILs"). PLRs are issued by the Department in response to specific taxpayer inquiries concerning the application of a tax statute or rule to a particular fact situation. A PLR is binding on the Department, but only as to the taxpayer who is the subject of the request for ruling and only to the extent the facts recited in the PLR are correct and complete. GILs do not constitute statements of agency policy that apply, interpret or prescribe the tax laws and are not binding on the Department. For your general information we have enclosed a copy of 2 Ill. Adm. Code Part 1200 regarding rulings and other information issued by the Department.

Although you have not specifically requested either type of ruling, the nature of your question and the information provided require that we respond only with a GIL.

In your letter you stated:

In March of this year we sent a letter to you requesting permission to use "Omnibus Reporting" (filing all pension returns under one central tax identification number) for several accounts in which we are Trustee, with withholdings in your state. Rather than having several tax identification numbers we would have only one.

DISCUSSION

The term "omnibus reporting" is not used in the Illinois Income Tax Act ("IITA"); nonetheless from a telephone conversation with yourself on December 3, 1999 I understand your request to mean that your company would like to file a single return under a single tax identification number for the various corporation pension plans. Please be advised that this is not permissible under the IITA. The IITA does allow the filing of a "composite return" under 86 Illinois Administrative Code Ch. 1 §100.5100 (copy enclosed). However, a "composite return" is not available when a trust seeks to file a return for other trusts or entities. Therefore, I must respectfully decline your company's request to use any sort of "omnibus filing."

I hope that this has been helpful to you. If you have additional questions please feel free to contact me at the above address.

Very Truly Yours,

Charles Matoesian
Associate Counsel